IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
WRIT PETITION NO.595 OF 1996

M/s.Khannaco Steel Merchants Pvt.Ltd.
and another .. Petitioners
v/s.
The Union of India and others. .. Respondents

Mr.M.V.Jayakar wih Mr.Shreyas Mehta i/by M/s.Khaitan & Jayakar for the petitioners.

Mr.R.V.Desai, senior counsel with Mr.S.M.Shah and Ms.S.V.Bharucha for the respondents.

CORAM : R.M. LODHA &
J.P.DEVADHAR, JJ.

DATED : 27TH APRIL, 2006.

P.C.

The counsel for the parties handed in hand-written minutes of the order. Same is taken on record and marked “X”.

2. Accordingly, we dispose of the writ petition by the following order:

i) The second respondent shall issue the show cause notice to the petitioners within a period of six weeks from today alongwith all documents which the department rely upon.

ii) The petitioners shall respond to the show cause notice within a period of six weeks on receipt of the show cause notice.

iii) The second respondent shall adjudicate the show cause notice and pass an adjudication order after giving the petitioners opportunity of hearing within a period of eight weeks from the receipt of the reply to the show cause notice.

iv) The petitioners shall keep the bank guarantee and bond furnished by them pursuant to the interim order of this court dated 10.4.1996 alive until the adjudication order is passed by the respondent No.2 and for a period of eight weeks thereafter. Similarly, the respondent No.2 shall not enforce the bank guarantee and the bond for a period of eight weeks from the date of adjudication order if the adjudication order is adverse to the petitioners.

No costs.

(R.M.LODHA, J.)

(J.P.DEVADHAR, J.)